

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of the)	
)	
Affordable Connectivity)	WC Docket No. 21-450
Program)	

**Reply Comments from the
Wisconsin Department of Public Instruction (WIDPI)**
(Filed December 21, 2021)

The Wisconsin Department of Public Instruction (WIDPI, department) is the state’s education and library agency. The department has statutory oversight for our state’s 423 public school districts and 384 public libraries. We appreciate the opportunity to submit these Reply Comments on the Affordable Connectivity Program (ACP).

The department strongly supports the action of the Commission in its effort to make broadband internet access affordable to low-income individuals and households. The recently passed Infrastructure Investment and Jobs Act (IIJA) created the Affordable Connectivity Program as a successor program to the temporary Emergency Broadband Benefit Program (EBB).¹

As the Commission develops its final regulations for the ACP there are several important issues that were documented by parties who filed initial comments. We have highlighted some of these in our Reply Comments below.

Develop a proactive outreach program to households eligible for the ACP

Comments filed by several organizations document the need for a more aggressive outreach effort to promote the ACP. For example, the Education SuperHighway documented that as of October 2021, only 16.4% of eligible Americans were participating in the Emergency Broadband Benefit Program.² In another example, a survey conducted by the Benton

¹ The EBB Program was established by the December 2020 Consolidated Appropriations Act. On February 12, 2021, the department filed reply comments in support of the EBB Program.

² Comments from the Education SuperHighway, slide 4. Filed December 6, 2021.

Foundation showed that of households with annual incomes below \$50,000, only 23% had even heard of the EBB Program.³ And we very much agree with the Foundation's recommendation that the Commission work with organizations that low-income households have a high-level of trust in. In its survey, 31% of respondents said they "trusted[ed] public libraries a lot" and 20% said they trusted schools. We also agree with comments filed by the National Digital Inclusion Alliance which encourages the Commission "to establish a grant program for CBOs in support of consumer outreach...."⁴ We think our public libraries and schools will be eager applicants if such an outreach program is created.

Household eligibility

Households are eligible to participate in the Affordable Connectivity Program if a minor residing in a household qualifies for the National School Lunch Program. We very much agree with comments filed by the Center for Democracy and Technology that the Commission allow households with students from schools using the Community Eligibility Provision (CEP) continue to be eligible for the ACP.⁵ Doing this will certainly encourage household participation. We mention this in particular because in November 2021 the FCC's Office of Inspector General (OIG) issued an advisory related to improper enrollment by some households in the Emergency Broadband Benefit Program.⁶ The improper enrollments were primarily related to CEP eligibility. We very much condemn any improper enrollments but note that the OIG identified that it was the service providers—not the schools or households themselves—who were responsible for improper enrollments. We share the concerns in comments filed by the Council of the Great City Schools that the Commission should not "remove support for CEP eligibility entirely when the concerning behavior is clearly and squarely on unscrupulous providers and sales agents."⁷ In addition to CEP eligibility, we also support the Council's recommendation to expand eligibility to students attending Provision 2 or Provision 3 schools. Doing this will further help increase participation in the Affordable Connectivity Program by more low-income households.

Eligibility of homeless shelters for the ACP

We think the need for broadband internet access in homeless shelters is obvious. In this regard, we support the comments filed by several parties that the Commission should explicitly state in its regulations that homeless shelters are eligible for the ACP. It is often assumed that homeless shelters provide support for individuals who are single. But this is not

³ Comments from the Benton Foundation, page 15. Filed December 8, 2021.

⁴ Comments from the National Digital Inclusion Alliance, page 18. Filed December 8, 2021.

⁵ Comments from the Center for Democracy and Technology, pages 5-6. Filed December 8, 2021.

⁶ FCC OIG, "Advisory Regarding Fraudulent EBB Enrollments Based On USDA National School Lunch Program Community Eligibility Provision Introduction." November 22, 2021.

⁷ Comments from the Council of the Great City Schools, page 4. Filed December 8, 2021.

always the case. At any given time—and often through no fault of their own—families find themselves homeless. The children in these families need internet access from the shelter so they don't fall even further behind in their studies. Because of the transient nature of homeless shelter populations, the comments filed by E-rate Central and the Schools, Health & Libraries Broadband (SHLB) Coalition propose that the Commission make the shelters themselves eligible for ACP support.⁸ We very much support this suggestion.

Transitioning from the Emergency Connectivity Program to the Affordable Connectivity Program

Many schools and libraries are currently participating in the Emergency Connectivity Fund (ECF) Program. Unfortunately, this program is scheduled to end June 30, 2022. However, this end date is not mandated by statute but is a regulatory decision made by the FCC. We support the recommendation in comments filed by the E-rate Central and the Schools, Health & Libraries Broadband (SHLB) Coalition that the Commission extend the ECF end date to June 30, 2023.⁹ We also agree with the comments by these two organizations that schools and libraries now engaged in bulk purchasing of broadband internet access for students and patrons under the ECF Program be able to also continue their bulk purchases as they transition to the Affordable Connectivity Program.

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In conclusion, the Wisconsin Department of Public Instruction looks forward to the implementation of the Affordable Connectivity Program and we appreciate the Commission's consideration of our above comments on this important program.

Respectfully submitted,



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⁸ Comments from E-rate Central and the Schools, Health & Libraries Broadband (SHLB) Coalition, page 3. Filed December 8, 2021.

⁹ Comments from E-rate Central and the SHLB Coalition, page 4. Filed December 8, 2021.